

**VIA EMAIL**

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Commissioner Dale Glass  
City of St. Louis Division of Corrections  
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February 10, 2021

**Re: Request to inspect conditions at the City Justice Center**

Mayor Krewson, Director Edwards and Commissioner Glass:

By now, the whole country has heard about the chaotic situation at the City Justice Center (CJC), where, for a fourth time since December, people detained at the jail have protested inhumane conditions there. **This ongoing crisis demands immediate action.** Although the City has stood behind its statement that conditions at the city jails are fine, that characterization is belied by the numerous accounts of incarcerated people who have bravely stood up and spoken out, desperately trying to bring attention to their situation and demand that they be treated humanely. As advocates for people trapped in our criminal legal system, we write today to insist that you immediately remedy the inhumane conditions at CJC and the Workhouse and allow independent verification of those conditions by civil rights advocates and the public. We insist that you do this immediately, before further harm befalls those housed in either facility.

Information shared by those detained in the jails, and by the lawyers and family members who have been desperately trying to access their loved ones, paints a very different picture from that advanced by the City. For some time now, there have been complaints about inadequate protocols to prevent the spread of COVID-19, which puts incarcerated people and corrections staff at risk every day. People who are COVID positive, or sick and awaiting test results are mixed into general population. Others are actively symptomatic but have been unable to get tested. People are often without soap or even running water to wash their hands. They have not been given sufficient personal protective equipment to prevent the spread of the disease between people in the jails or prevent infection via a staff member who have been exposed outside of the jail. People in CJC initially stood up for themselves because they were terrified of being infected with a pandemic disease. City officials have made various claims regarding the number of cases

in the jails—including the demonstrably false claim that there are no COVID cases—but have failed to release a single piece of evidence indicating the number of tests given or the number of positive cases. We've also heard concerns of retaliation by jail staff through use of chemical weapons and beatings for exercising their First Amendment rights—rights which do not disappear at the jail cell door.<sup>1</sup>

These concerns have only escalated, and conditions worsened, since the protest this weekend. We have received first-person reports of some people in CJC going over 72 hours without being provided with food or water, the very most basic necessities of life. Other floors are receiving limited, but insufficient, food. Others have had access to showers, commissary, and calls to family restricted or entirely withheld. People have been forced to sleep on the floor without any bedding for multiple nights in a row. The floors on which they are forced to sleep are covered in sewage and other filth because jail personnel have turned off the water to the toilets, causing them to overflow as people are forced to repeatedly use filthy, non-functional commodes. When they have been provided with a mattress to put on the floor, people have not received any other bedding. Inmates at the Workhouse are being held in filthy conditions, and report that there is little to no heating in plummeting temperatures. Combined with the heat being turned off in their blocks and the frigid temperatures outside, this deprivation causes suffering and puts people's health at great risk. These conditions are amoral and put every person detained at risk of serious harm or even death. They also violate the constitutional rights of those who are detained in city jails.<sup>2</sup>

The people of the City of St. Louis deserve to know that a jail funded by their tax dollars treats people in its custody humanely. Loved ones of people detained in the city jails deserve to know that their children, siblings, or cousins are safe. Above all, the people detained by this city deserve to not have their constitutional rights trampled on. **Because there are significant discrepancies between what we are hearing from directly impacted people and the information shared by the City, we ask that you a) verify that the City of St. Louis is providing full and complete access to food, clean drinking water, mattresses, and bedding for all detainees, within 24 hours of receipt of this letter, and b) immediately grant the below attorneys access to housing units and common areas in CJC to inspect, verify, and document conditions inside, including the ability to talk with detainees.** Following that visit, we ask that you sit down with us and other community advocates to discuss what remedial steps you can take to promptly address the conditions in the city jails so as to bring it into compliance with constitutional standards. We stand ready to do whatever it takes to ensure that the most

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<sup>1</sup> See *Wolff v. McDonnell*, 418 U.S. 539, 555-56 (1974) (“But though his rights may be diminished by the needs and exigencies of the institutional environment, a prisoner is not wholly stripped of constitutional protections when he is imprisoned for crime. There is no iron curtain drawn between the Constitution and the prisons of this country.”)

<sup>2</sup> See, e.g., *Benjamin v. Fraser*, 161 F.Supp.2d 151, 171 (S.D.N.Y. 2001) (“It is self-evident that access to adequate and functional plumbing is essential to a healthy jail environment because of the importance of water for drinking, personal hygiene, laundry, kitchen use, and housekeeping.”); *Rhodes v. Chapman*, 452 U.S. 337, 347 (1981) (Conditions that “deprive inmates of the minimal civilized measure of life’s necessities” may violate the Constitution; *Carter v. Knox County, Tenn.*, 753 F.Supp. 1370, 1389 (E.D.Tenn. 1989) (“The failure to regularly provide prisoners with clean bedding, towels, clothing, and sanitary mattresses” is unconstitutional), *remanded for reconsideration*, 887 F.2d 1287 (6th Cir. 1989), *adhered to on remand*, 753 F. Supp. 1398 (E.D.Tenn. 1990); *Simmons v. Cook*, 154 F.3d 805, 808-09 (8th Cir. 1998) (affirming damage award to paraplegic prisoners who miss four consecutive meals)

vulnerable people in our community are not suffering through inhumane conditions. We hope we can do that collaboratively, without the need for court intervention.

We look forward to hearing from you by **noon on Thursday, February 11, 2021**, regarding our request for a visit so that the citizens and advocates who visit CJC will get an accurate picture of the conditions as they currently exist. We also look forward to your announcement of a plan to immediately remedy the many dangerous problems in the City jails.

Sincerely,

Mary Fox  
**Office of the Missouri State Public Defender**

Luz María Henríquez  
**American Civil Liberties Union of Missouri**

Blake Strode  
Jack Waldron  
Maureen Hanlon  
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CC: City Counselor Mike Garvin (garvinm@stlouis-mo.gov)